

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

SARAH GILLIAMS

Plaintiff(s),

-against-

JASON SPECE, FEDEX GROUND PACKAGE SYSTEM, INC., FEDEX CORPORATION, PREMIER TRAILER LEASING, INC., TRUE TRANSPORT, INC., ABC CORP #1 (the unidentified owner of trailer 1), JOHN DOE #1-10 (fictitious names designating the owner and/or operator), ABC CORP. #2-10 (fictitious corporations designated as owners and/or operators),

Defendant(s).

Civil Action No.: 2:22-cv-4293

Civil Action

*Document electronically filed*

**NOTICE AND PETITION OF  
REMOVAL**

TO: United States District Court  
District of New Jersey  
50 Walnut Street  
Newark, New Jersey 07101

Defendants, JASON SPECE, FEDEX GROUND PACKAGE SYSTEM, INC. (“FEDEX GROUND”), FEDEX CORPORATION, PREMIER TRAILER LEASING, INC. (“PREMIER”), TRUE TRANSPORT, INC. (“TRUE TRANSPORT”), (hereinafter, collectively, “Defendants”), hereby remove this action from the Superior Court of the State of New Jersey, County of Middlesex, to the United States District Court for the District of New Jersey and respectfully allege:

1. A civil action has been instituted against Defendants in the above-entitled action in the Supreme Court of the State of New Jersey, Middlesex County, entitled SARAH GILLIAMS

v. JASON SPECE, FEDEX GROUND PACKAGE SYSTEM, INC., FEDEX CORPORATION, PREMIER TRAILER LEASING, INC., TRUE TRANSPORT, INC., ABC CORP #1 (the unidentified owner of trailer 1), JOHN DOE #1-10 (fictitious names designating the owner and/or operator), ABC CORP. #2-10 (fictitious corporations designated as owners and/or operators), under Docket No.: MID-L-1817-22. Annexed hereto a true copy of plaintiff's Summons and Complaint **Exhibit "A"**; annexed hereto a true copy of plaintiff's First Amended Complaint **Exhibit "B"**.

2. A Summons and Complaint was served on JASON SPECE, personally on or about May 17, 2022. *See* **Exhibit "D"**. A Summons and Complaint was served upon Defendant, FEDEX CORPORATION, on or about May 17, 2022. *See* **Exhibit "E"**. A Summons and Complaint was served upon Defendant, PREMIER, on or about May 17, 2022. *See* **Exhibit "F"**. A Summons and Complaint was served upon Defendant, TRUE TRANSPORT, on or about May 26, 2022. *See* **Exhibit "G"**. Upon information and belief, a Summons and Complaint was served upon Defendant, FEDEX GROUND, on or about June 24, 2022.

3. Upon information and belief, at the time of commencement of this action and the filing of this Notice of Removal:

- (a) Plaintiff was/is domiciled in the State of New Jersey, County of Camden (*see* Summons and Complaint, annexed hereto as **Exhibit "A"**);
- (b) Defendant, Jason Spece, is presently a resident of Pennsylvania (*see* Affidavit of Service, annexed hereto as **Exhibit "D"**);
- (c) Defendant, FedEx Corporation, is a foreign corporation with its principal place of business in Memphis, Tennessee (*see* Affidavit of Service, annexed hereto as **Exhibit "E"**);
- (d) Defendant, True Transport, is a foreign corporation with its principal place of business in Borden, Indiana (*see* Affidavit of Service, annexed hereto as **Exhibit "G"**);
- (e) Defendant, Premier, is a foreign corporation with its principal place of business in Grapevine, Texas (*see* Summons, annexed hereto as **Exhibit "F"**);
- (f) Defendant, FedEx Ground, is a foreign corporation with its principal place of business in Moon Township, Pennsylvania.

4. Plaintiff seeks damages, interests, and costs, alleging that plaintiff “sustained diverse personal injuries of both a permanent and temporary nature, endured and will endure great pain, have been and will be compelled to expend large sums of money for physicians and other help in an attempt to cure Plaintiff’s said injuries, have been and will be prevented from attending to Plaintiff’s normal business and affairs, and have been otherwise damaged” (see **Exhibit “A”**; **Exhibit “B”**) alleged to be the result of a motor vehicle accident which occurred on or about December 8, 2020, on Interstate 287, at or near mile marker 0.1, Edison, New Jersey (see **Exhibit “A,”**; **Exhibit “B”**, *supra*). Additionally, initial records allege plaintiff significant injuries to plaintiff’s cervical spine, lumbar spine, and head.

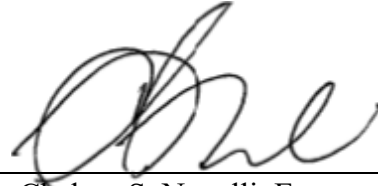
5. Defendants notice the removal of this action on the grounds that it is between the citizens of different states and allegedly involves a claim in excess of \$75,000.00, exclusive of interest and costs; and is thereby removable under 28 U.S.C. §1441, et seq.

6. This Notice of Removal is timely, since it is filed within thirty (30) days of receipt of the Affidavit of Service on Defendants. Further, the Notice of Removal was filed with the Middlesex County Clerk on or about June 27, 2022. Annexed hereto a true copy of the Notice to Middlesex County **Exhibit “C”**.

**WHEREFORE**, defendants respectfully request that the action pending against them in the Supreme Court of the State of New Jersey, County of Hudson be removed therefrom to this Court.

Dated: June 27, 2022

Respectfully Submitted,  
CALLAHAN & FUSCO, LLC

A handwritten signature in black ink, appearing to read 'C. Novelli', is positioned above a horizontal line.

Chelsea S. Novelli, Esq.  
103 Eisenhower Parkway, Suite 400  
Roseland, New Jersey, 07068  
Counsel for Defendants  
JASON SPECE, FEDEX GROUND  
PACKAGE SYSTEM, INC., FEDEX  
CORPORATION, PREMIER  
TRAILER LEASING, INC., TRUE  
TRANSPORT, INC.

**CERTIFICATION OF SERVICE**

I, Chelsea S. Novelli, of full age, being duly sworn, according to law and upon my oath, depose and say:

1. I am an attorney with the law firm of Callahan & Fusco, LLC, and assigned the handling of this action.

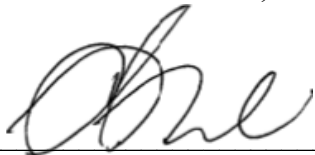
2. On June 27, 2022, I mailed, postage prepaid, a copy of the within Notice and Petition of Removal to:

Marc Greenfield, Esq.  
Jeremy Weitz, Esq.  
Spear, Greenfield, Richman, Weitz, Taggart, P.C.  
10,000 Lincoln Drive East  
One Greentree Centre, Suite 201  
Marlton, NJ 08053  
(856) 985-4663

3. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: June 27, 2022

CALLAHAN & FUSCO, LLC

By:   
Chelsea S. Novelli, Esq.